

## **CHAPTER 50-06.4 TRAUMATIC BRAIN INJURIES**

**50-06.4-01. Definitions.** As used in this chapter:

1. "Department" means the department of human services.
2. "Traumatic brain injury" means an acquired injury to the brain caused by an external physical force resulting in total or partial disability or impairment, including open and closed head injuries that may result in mild, moderate, or severe impairments in one or more areas including cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem solving, sensory perceptual and motor abilities, psychosocial behavior, physical functioning, information processing, and speech. The term does not include brain injuries that are congenital or degenerative or brain injuries induced by birth trauma, but may include brain injuries caused by anoxia and other related causes.

**50-06.4-02. Department to be lead agency - Cooperation of other agencies.** The department shall act as lead agency in the state for the purpose of coordinating services to persons with traumatic brain injury. State agencies and political subdivision agencies shall cooperate with the department to permit the department to efficiently coordinate services to persons with traumatic brain injury while avoiding duplication of services. Neither this chapter, nor any activity undertaken by the department under this chapter, may be construed as creating a right to any benefit or service not specifically required to be granted as a condition of the receipt of grants of federal funds.

**50-06.4-03. Department may submit plans - Seek waivers.** The department may submit state plans and amendments to state plans, concerning programs administered under this title, to carry out this chapter. The department may seek appropriate waivers of the requirements of federal statutes or regulations as authorized by federal law.

**50-06.4-04. Authority to accept and expend grants, gifts, and services.** The department may apply for and accept any funds, grants, gifts, or services made available for the purpose of providing or coordinating services to persons with traumatic brain injury by any federal agency or department or any private agency or individual. Funds received by the department under this section must be deposited in the state treasury in a special fund designated as the traumatic brain injury fund and may be spent within the limits of legislative appropriation.